

1 **RETIREMENT - OPEN WINDOW OPTIONS**

2 2001 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Beverly Ann Evans**

5 **This act modifies the Utah State Retirement Act by opening a conversion window for the**  
6 **Public Employees' Noncontributory Retirement System.**

7 This act affects sections of Utah Code Annotated 1953 as follows:

8 AMENDS:

9 **49-3-205**, as last amended by Chapter 46, Laws of Utah 1995

10 *Be it enacted by the Legislature of the state of Utah:*

11 Section 1. Section **49-3-205** is amended to read:

12 **49-3-205. Conversion to system -- Time schedule.**

13 The following laws govern conversion to the Public Employees' Noncontributory  
14 Retirement System:

15 (1) For persons governed by Subsection 49-3-203 (2), the election to participate in the  
16 noncontributory system shall be made within six months of the effective date of this chapter.

17 (2) (a) For political subdivisions governed by Subsection 49-3-203 (3), the election to  
18 participate as a local government unit shall be made within six months of the effective date of this  
19 chapter. The political subdivision shall indicate whether or not it elects to participate by enacting  
20 a resolution or ordinance to that effect. Prior to the enactment of the resolution or ordinance, a  
21 hearing shall be held by the political subdivision, at which all employees of the political  
22 subdivision shall be given an opportunity to be heard on the question of participating in this  
23 noncontributory retirement system. Notice of the hearing shall be mailed to all employees within  
24 30 days of the hearing and shall contain the time, place, and purpose of the hearing.

25 (b) A person in full-time employment with a political subdivision prior to its election to  
26 participate has six months from the date the political subdivision elects to participate in which to  
27 elect to become a member of the noncontributory system.

28           (3) Subsections (1) and (2) shall be used to provide a second time period of conversion to  
29 this system beginning July 1, 1990.

30           (4) Subsections (1) and (2) shall be used to provide a third time period of conversion to  
31 this system beginning July 1, 1995.

32           (5) Subsections (1) and (2) shall be used to provide a fourth time period of conversion to  
33 this system beginning July 1, 2001.

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**Legislative Review Note**  
**as of 1-29-01 11:35 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**